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12 Attorneys for Defendant Google, Inc.

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA, [SAN JOSE DIVISION](#)**

15 CLRB HANSON INDUSTRIES, LLC d/b/a
16 INDUSTRIAL PRINTING, and HOWARD
17 STERN, on behalf of themselves and all others
18 similarly situated,

19 Plaintiff,

20 v.

21 GOOGLE, INC.,

22 Defendant.

CASE NO. [C 05-03649 JW](#)

**[\[PROPOSED\] ORDER GRANTING
DEFENDANT GOOGLE, INC.'S
MOTION TO DISMISS PLAINTIFFS'
UNJUST ENRICHMENT CLAIM](#)**

Fed. R. Civ. P. 12(b)(6)

Date: March 6, 2006

Time: 9:00 a.m.

Place: Courtroom 8

Judge: Honorable James Ware

23 [PROPOSED] ORDER GRANTING DEFENDANT
24 GOOGLE, INC.'S MOTION TO DISMISS PLAINTIFFS'
25 UNJUST ENRICHMENT CLAIM

26 CASE NO: C 05-03649 JW

[41063-0023/BY060030.024]

1 Defendant Google, Inc.'s Motion to Dismiss Plaintiffs' Unjust Enrichment Claim, brought
2 pursuant to Federal Rule of Civil Procedure 12(b)(6), having come on for hearing, the Court
3 having considered all relevant documents and evidence and having considered the arguments of
4 counsel, and good cause appearing therefor:

5 IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Plaintiffs' Unjust
6 Enrichment Claim is granted and plaintiffs' claim is dismissed, without leave to amend, pursuant
7 to Federal Rule of Civil Procedure 12(b)(6).

8
9 DATED: _____, 2006

Honorable James Ware
U.S.D.C., Northern District of California

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11 Respectfully submitted:

12 **PERKINS COIE LLP**

13 By _____/s/
14 David T. Biderman

15 Attorneys for Defendant
16 GOOGLE, INC.
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PROOF OF SERVICE

I, Susan E. Daniels, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action. My business address is Perkins Coie LLP, 180 Townsend Street, 3rd Floor, San Francisco, California 94107-1909. I am personally familiar with the business practice of Perkins Coie LLP. On January 3, 2006, I served the following document(s):

[PROPOSED] ORDER GRANTING DEFENDANT GOOGLE, INC.'S MOTION TO DISMISS PLAINTIFFS' UNJUST ENRICHMENT CLAIM

by placing a true copy thereof enclosed in a sealed envelope addressed to the following parties:

William M. Audet, Esq. Attorney for Plaintiffs and
Ryan M. Hagan, Esq. the Proposed Class
Jason Baker, Esq.
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Lester L. Levy, Esq. Attorney for Plaintiffs and
Michele F. Raphael, Esq. the Proposed Class
Renee L. Karalian, Esq.
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XXX (By Mail) I caused each envelope with postage fully prepaid to be placed for collection and mailing following the ordinary business practices of Perkins Coie LLP.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed at San Francisco, California.

DATED: January 3, 2006.

/S/

Susan E. Daniels